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| 09/727,841 | 11/30/2000 | Mark Buonanno | CSCO-2894 | 3913 |

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DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *25 February 2005*.

2a)☐ This action is **FINAL**.     2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-3,6-8,10-16,18-20 and 22-35* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3, 6-8, 10-16, 18-20 and 22-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

## DETAILED ACTION

1.      This is in response to RCE filed on 2/25/05 in which claims 1-3, 6-8, 10-16, 18-20 and

22-35 are pending.

### *Response to Arguments*

2.      As per claims 1, 15, 25 and 29, Applicant argues that Gopal teaches away from the

present invention in that the network controller also named the network manager is not a person

or a personnel but a component within the data management network.  However, Gopal teaches

wherein the alert messages are transmitted to network managers or other personnel responsible

for maintaining the system (See page 2, paragraph [0021]).  Furthermore, Applicant argues that

the physical status of components of a network over which the present claimed invention is

conducted is beyond the scope of the present invention. However, Applicant's invention clearly

claimed "monitoring an internet gateway, through which the business-to business transaction

passes for timer expiration exceptions, transaction exceptions, and network exceptions" which

are "physical status " of component of a B2B transaction.

### *Claim Rejections - 35 USC § 103.*

3.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains.  Patentability shall not be negatived by the
> manner in which the invention was made.

4.      Claims 1-2, 6-7,13-15, 19, 25, 27-29, 30-35 are rejected under 35 U.S.C. 103(a) as being

unpatentable over U.S. Patent Application No. 2001/0032263 to Gopal et al in view of U.S.

Patent No. 6,289,333 to Jawahar et al.


a.      As per claims 1, 15, 25 and 29, Gopal et al teaches a method exceptions in a business-to-

business transaction, comprising the steps of: monitoring an internet gateway, through which the

business-to business transaction passes for timer expiration exceptions, transaction exceptions,

and network exceptions wherein if an exception is detected: automatically locating an authorized

representative, wherein the authorized representative is a designated person who has authority to

consummate the business-to-business transaction; automatically notifying the authorized

representative of the exception (See page 2, paragraph [0021]); However, Gopal et al fails to

teach automatically establishing a collaboration session between representatives of the business-

to-business transaction.

Jawahar et al teaches establishing a web collaboration session between representatives of

the business-to-business transaction, wherein the web collaboration session comprises page

sharing, follow-me, form share, text chat, application demonstration, application sharing and

white boarding functions (See col. 2, lines 12-17 and col. 3, lines 60-62).

It would have been obvious to one with ordinary skill in the art at the time the invention

was made to incorporate establishing a collaboration session between representatives of the

business-to-business transaction wherein the web collaboration session comprises page sharing,

follow-me, form share, text chat, application demonstration, application sharing and white

boarding functions as taught by Jawahar et al in the claimed invention of Gopal et al in order to

retrieve resources provided from one client to the other client (See page 2, lines 16-18)


b.      As per claims 2, 26 and 30, Gopal et al teaches wherein an intelligent contact manager to

automatically locate the authorized representative (See page 2, paragraph [0021]).

c.      As per claim 6, Gopal et al teaches using a unified communication system to automatically notify the authorized representative of the exception (See page 2, paragraph [0021]).

d.      As per claims 7 and 19, Gopal et al teaches wherein the unified communication system comprises voice messaging, email messaging, and fax messaging (See page 2, paragraph [0021]).

e.   .   As per claims 13, 27 and 31, Gopal et al teaches wherein the business-to-business transaction is handled through e-mail and LDAP containing XML data (See page 2, paragraph [0009 and 0021])

f.      As per claims 14, 28 and 32, Gopal et al teaches wherein the exception is handled by email (See page 2, paragraph [0021]).

g.      As per claim 33, Gopal et al teaches issuing a times expiration exception when a sending application does not receive a confirmation within a predetermined time period (See page 6, paragraph [0048]).

h.      As per claim 34, Gopal et al teaches wherein generating a transaction exception when content, format, security, availability, or other characteristics of said transaction are out of pre-determined boundaries (See page 2, paragraph [0021]).

I .     As per claim 35, Gopal et al teaches wherein generating a network exception when a messaging infrastructure cannot support a message transaction (See page 2, paragraph [0021]).

5.      Claims 3 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application No. 2001/0032263 to Gopal et al in view of U.S. Patent No. 6,289,333 to

Jawahar et al. as applied to claim 2 above, and further in view of U.S. Patent Application No.
2004/0049562 to Kikinis.


a.     As per claims 3 and 16, Gopal et al teaches wherein the intelligent contact manager
comprises the functions of pre-routing, post-routing (See page 3, paragraph [0024]).  However,
Gopal et al in view of Jawahar et al fails to teach wherein the intelligent contact manager
comprises the functions customer-profile, computer telephony integration, enterprise-wide
reporting, web interaction, remote agent support, voice recognition integration, and workforce
management integration.

Kikinis teaches wherein the intelligent contact manager comprises the functions
customer-profile, computer telephony integration, enterprise-wide reporting, web interaction,
remote agent support, voice recognition integration, and workforce management integration (See
page 3, paragraph [0024] and page 5, paragraph [0043]).

It would have been obvious to one with ordinary skill in the art at the time the invention
was made to incorporate wherein the intelligent contact manager comprises the functions as
taught by Kikinis in the claimed invention of Gopal et al in view of Jawahar et al in order to
transmit data over networks as data packets 9see page 1, paragraph [0003]).


6.     Claims 8 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.
Patent Application No. 2001/0032263 to Gopal et al in view of U.S. Patent No. 6,289,333 to
Jawahar et al. as applied to claim 4 above, and further in view of U.S. Patent Application No.
2002/0194272 to Zhu et al.


a.     As per claims 8 and 20, Gopal et al in view of Jawahar et al teaches the claimed invention
as described above.  However, Gopal et al in view of Jawahar et al fails to teach wherein the
unified communication system comprises a telephone call, a sequence of contacts, an SMS

message to a called party's pager or cell phone, or incoming calls being routed through a series of telephone numbers based on peer, person, or LDAP list.

Zhu teaches wherein the unified communication system comprises a telephone call, a sequence of contacts, an SMS message to a called party's pager or cell phone, or incoming calls being routed through a series of telephone numbers based on peer, person, or LDAP list (See page 1, paragraph [0006])

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the unified communication system comprises a telephone call, a sequence of contacts, an SMS message to a called party's pager or cell phone, or incoming calls being routed through a series of telephone numbers based on peer, person, or LDAP list as taught by Zhu et al in the claimed invention of Gopal et al in view of Jawahar et al in order to handle calls from a number of customers (See page1, paragraph [0005]).

7.      Claims 10-12, 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over .S. Patent Application No. 2001/0032263 to Gopal et al in view of U.S. Patent No. 6,289,333 to Jawahar et al as applied to claim 1 and 22 above, and further in view of U.S. Patent Application No. 2002/0049622 to Lettich et al.

a.      As per claims 10 and 22, Gopal et al in view of Jawahar et al teaches the claimed invention as described above. However, Gopal et al in view of Jawahar et al fails to teach wherein the apparatus handles exceptions corresponding to demand planning.

Lettich et al teaches demand planning. (See 15, paragraph [0294]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the apparatus handles exceptions corresponding to demand planning as taught by Lettich et al in the claimed invention of Gopal et al in view of Jawahar et al in order to enable companies to meet the challenges of rising global networks (See page 1, paragraph [0003])

b.        As per claims 11 and 23, Gopal et al in view of Jawahar et al teaches the claimed invention as described above.  However, Gopal et al in view of Jawahar et al fails to teach wherein business-to-business (B2B) processing utilizes the engine to perform steps of requisitioning, purchasing, approval, ordering, receiving, distribution, payment, and measurement.

Lettich et al teaches wherein business-to-business (B2B) processing utilizes the engine to perform steps of requisitioning, purchasing, approval, ordering, receiving, distribution, payment, and measurement (See page 2, paragraph [0023]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein business-to-business (B2B) processing utilizes the engine to perform steps of requisitioning, purchasing, approval, ordering, receiving, distribution, payment, and measurement as taught by Lettich et al in the claimed invention of Gopal et al in view of Jawahar et al in order to enable companies to meet the challenges of rising global networks (See page 1, paragraph [0003])

c.        As per claims 12 and 24, Gopal et al in view of Jawahar et al teaches the claimed invention as described above.  However, Gopal et al in view of Jawahar et al fails to teach the step of handling exceptions corresponding to procurement processes.

Lettich et al teaches wherein the exception corresponds to procurement processes (See page 2, paragraph [0023]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the exception corresponds to procurement processes as taught by Lettich et al in the claimed invention of Gopal et al in view of Jawahar et al in order to enable companies to meet the challenges of rising global networks (See page 1, paragraph [0003])

*Conclusion*

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Djenane M Bayard whose telephone number is (571) 272-3878.

The examiner can normally be reached on Monday- Friday 5:30 AM- 3:00 PM..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Djenane Bayard

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER